

The Environmental Classification Summary (ECS) form consists of six parts, five of which must be completed by the Local Agency. The ECS form is part of a Local Agency's NEPA documentation. As such, the form must contain accurate, current information and enough detail to clearly indicate why a requirement is either not applicable or has been clearly considered and satisfactorily resolved.

Throughout these directions, a number of references and links are provided from the Washington State Department of Transportation's Environmental Procedures Manual (EPM), July 2001 edition. This manual should be used as a resource for additional information on an environmental requirement's background and approval process. The following link is for the EPM:

<http://www.wsdot.wa.gov/eesc/environmental/programs/regcomp>

A number of the considerations within these directions require early and potentially lengthy timeframes for coordination and eventual approval. Be sure to initiate the individual environmental processes early, in order to include appropriate supporting documentation and approvals with the submittal of the final ECS form.

Part 1 – Project Description

Complete all boxes, if information is known.

Federal Program Title: Always use 20.205

WRIA No. & Name – The names and numbers of these areas, along with a map, are located in WAC 173-500-040.

Project Description – Provide a detailed description of the proposed project and associated work items included within the scope of the project.

Part 2 – Environmental Classification

Indicate both the NEPA and SEPA classification for the project, by checking the appropriate boxes. If the project falls under either the NEPA or SEPA CE classification, indicate the CE Type, using the reference provided.

Indicate the name of the staff person who completed the form in the box under the NEPA Approval Signatures section. Be sure to print the name of this individual.

Once FHWA signature has been secured, a copy of the signed page 1 of the ECS will be returned to the Local Agency, via the Regional Local Programs Office. The FHWA signed ECS signifies NEPA approval for the project.

If the project falls under the 1999 CE MOU, the document will not be sent to FHWA for signature. The CE MOU allows WSDOT to approve the ECS. For CE MOU projects, a

copy of the signed page 1 will be returned to the local agency, via the Regional Local Programs Office, after WSDOT signature has been secured and OSC Local Programs' review.

For a copy of the 1999 CE MOU, click on the following link:

<http://www.fhwa.dot.gov/wadiv/ProgCEMOU.pdf>

Part 3 – Permits and Approvals Required

Indicate the permits and approvals required for the project, by checking either the “yes” or “no” box for each particular permit.

Refer to the EPM for questions regarding specific permits and subsequent applicability to the project.

Part 4 – Environmental Considerations

Address all fifteen (15) items. In some instances, it may be appropriate to indicate that the consideration is “not applicable”. If this is the case, include a sentence or two explaining why the consideration is not applicable.

Air Quality

Federal, state and local regulations require that all projects be reviewed for potential impacts to air quality. All transportation projects requesting federal funding must be analyzed for regional air quality emissions. This regional analysis is usually conducted by the local metropolitan planning organization (MPO) or regional transportation planning organization (RTPO). Additional regional analysis may be necessary depending upon the nature of the project. *(Additional information on Air Quality considerations and applicable regulations can be found in Section 425 of the EPM.)*

On the ECS form, indicate whether the project is included in your area's metropolitan transportation plan. If “yes”, indicate the date the plan was approved.

Indicate whether your project is located in an air quality non-attainment or maintenance area. The following link provides a map indicating the locations of all of the non-attainment and maintenance areas within the state of Washington:

http://www.ecy.wa.gov/programs/air/other/namaps/Web_Map_Intro.htm#Particulate%20Matter

Indicate whether the project is exempt from air quality conformity requirements. If “yes”, note the exemption. Refer to 40 CFR 93.126 and WAC 173-420-120, for the list of project types exempt from regional analysis. *(Section 425 of the EPM also provides a list of exempt project types.)*

Complete text from Example ECS:

(Example text if “yes”): Exempt from local hot spot analysis, per 40 CFR 93.126 - construction of bicycle and pedestrian facilities.

(Example text if “no”): Local hot spot analysis conducted, results indicate that the proposed build alternative represents an improvement to the air quality in the vicinity of the S. 112th intersection.

If applicable, attach air quality study and hot-spot analyses performed for the project.

Critical/Sensitive Areas

- a) Water quality and other surface water issues must be addressed during the development of a project. Given the importance of groundwater resources, like sole source aquifers, wellhead protection areas, and Critical Aquifer Recharge Areas (CARAs), consideration must be given to the potential impacts a project might have on these resources.

Indicate whether the project is located within an aquifer recharge area, wellhead protection area or sole source aquifer area. The enclosed link provides a map, which notes the locations of all of the sole source aquifers located within the state of Washington:

<http://www.epa.gov/r10earth/maps/ssarx.html>

If the project is located within a sole source aquifer area, indicate whether the project is exempt from the Environmental Protection Agency’s (EPA) review and approval. Projects considered exempt from EPA review and approval include: resurfacing; lighting; signing; pavement marking; guardrail; signalization; freeway surveillance and control system; railroad protective devices; glare screening; median barriers; energy attenuators; and the temporary replacement of highway facilities damaged by natural disasters or catastrophic failures. All other types of projects must be submitted to EPA for review and approval. (*Additional information on Sole Source Aquifer considerations can be found in Section 433 of the EPM.*)

If the project is located within a sole source aquifer and is not exempt, attach the concurrence letter received from EPA.

Complete text from Example ECS:

(Example text, if “yes”): Project is located within the Central Pierce County Sole Source Aquifer, but resurfacing projects, without widening, are exempt from EPA review.

(Example text, if “no”): Project is located within the Central Pierce County Sole Source Aquifer. EPA approval obtained on 9/3/02 and is attached.

- b) Describe any geologically hazardous areas located within the project area.

- c) Describe general habitat located within the project area and known fish and wildlife species present within and around the project area.
- d) Indicate whether the project is located within any wetlands.

If the project is located within any wetlands, identify the estimated area of impact to wetlands in acre(s). Also describe coordination that has occurred with the Washington State Dept. of Ecology and the U.S. Army Corps of Engineers to mitigate for the impacts. Attach a copy of the mitigation plan.

Complete text from Example ECS:

Project will impact 1.2 acres of existing wetlands. A proposed mitigation plan has been prepared and the county is currently in discussion with the Dept. of Ecology and the Corps of Engineers. Proposed mitigation for the impacts includes creation of 2.4 acres of wetlands and restoration of an additional 1.2 acres of existing wetlands. A copy of the proposed mitigation plan is attached.

Cultural Resources/Historic Structures

Both NEPA in general and, more specifically, Section 106 of the National Historic Preservation Act of 1966, require federal agencies to take into account the effects of a project on properties included in or eligible for inclusion in the National Register of Historic Places. This process is designed to identify potential conflicts between preservation concerns and transportation needs and resolve such conflicts through consultation with the Office of Archaeology and Historic Preservation, affected Tribes, and any other interested consulting parties.

Indicate whether the project fits one of the exempt activities listed in Section 24.82(a) of the LAG manual. If “yes”, list the exemption.

If “no”, indicate the dates of OAHP consultation, Tribal consultation (if applicable). Also indicate whether the project will result in an adverse affect to any cultural and/or historic resources. If “yes”, indicate the MOA date of approval. (*Additional information on Cultural/Historic Resources considerations can be found in Section 456 of the EPM.*)

Attach a copy of the cultural resources survey; all correspondence with OAHP and Tribes, including consultation letters; and a copy of the signed MOA, as appropriate.

Flood Plains or Ways

Indicate whether the project is located within a 100-year flood plain. If “yes”, indicate whether the project is located in a 100-year floodway.

Indicate whether the project will impact a 100-year flood plain. If “yes”, describe the impacts and analyses conducted. If the impacts have been identified as significant, indicate coordination undertaken and resolution. (*Additional information on Flood*

Plains consideration can be found in Section 432 of the EPM; and in 23 CFR 650 Part A / 23 CFR 650.113 for definition of, and allowance for, a Significant Encroachment.)

Attach any analyses conducted.

Hazardous and Problem Waste

Stringent federal and state environmental laws and regulations dictate an agency's full responsibility for cleanup and proper disposal of hazardous materials.

Indicate whether the project is likely to involve site clean-up. If "yes", describe proposed plan and coordination undertaken. Attach a copy of proposed plan and approvals.

Indicate whether the project will create any hazardous waste. If "yes", describe proposed plan to handle and dispose of waste. Attach a copy of proposed plan and approvals. *(Additional information on Hazardous Materials considerations can be found in Section 447 of the EPM.)*

Noise

A traffic noise analysis is required by law for federally funded projects and required by state policy for other funded projects that: 1) involve construction of new highway; 2) significantly changes the horizontal or vertical alignment of an existing highway; or 3) increases the number of through traffic lanes on an existing highway.

Identify and describe any potential noise receptors within the project area and subsequent impacts to those noise receptors. If impacts are identified, describe significance and proposed mitigation measures. Attach a copy of noise study, if applicable. *(Additional information on Noise considerations can be found in Section 446 of the EPM.)*

Complete text from Example ECS:

Sensitive noise receptors for this project include three residences, located approximately 100 feet from the proposed project. The proposed project will result in both temporary and long-term increases to the existing noise levels in this area. A noise analysis was conducted and is attached. The study determined that impacts will occur but could be mitigated by restricting work between the hours of 7 am and 7 pm, Monday through Friday (for temporary impacts) and through the construction of a noise wall from MP 1.35 to 1.36 (for long term impacts).

Parks, Recreation Areas, Wildlife Refuges, Historic Properties or Scenic Byways, 4(f)/6(f) Lands

Identify and describe any 4(f) and/or 6(f) lands located within or adjacent to the project area.

Under Section 4(f) of the 1966 Department of Transportation Act, the FHWA and other USDOT agencies cannot approve the use of land from a publicly owned park, recreation area, or wildlife and waterfowl refuge, or any significant historic site, unless a determination is made that:

- 1) There is no feasible and prudent alternative to using the property; and
- 2) The proposed action includes all possible planning to minimize harm to the property resulting from such use.

If a 4(f) property is present, identify the property and describe the impacts to the 4(f) resource. If impacts are identified, the severity of the impacts and type of 4(f) resource will dictate whether a programmatic 4(f) document or an individual 4(f) document must be prepared. Copies of the programmatic 4(f) agreements available – describing conditions to be met and subsequent documentation requirements – can be found within *Section 455 of the EPM* or at the following link:

<http://www.fhwa.dot.gov/environment/guidebook/chapters/v2ch15.htm>

If the project's impacts to 4(f) resources are not programmatic, an individual 4(f) document must be prepared. Guidance on the format and content of the individual 4(f) document can be found in *Section 455 of the EPM* or at the following link:

<http://www.fhwa.dot.gov/environment/guidebook/vol2/doc15d.pdf>

If impacts to 4(f) resources are identified, attach a copy of the approved programmatic or individual 4(f) document.

Section 6(f) applies to all projects that impact recreational lands purchased or improved with land and water conservation funds. The Secretary of the Interior must approve any conversion of property acquired or developed with assistance under this act to other than public, outdoor recreation use. If a 6(f) property is present and impacts will occur, attach a copy of the Secretary of the Interior's approval. (*Additional information on Section 6(f) considerations can be found in Section 455 of the EPM.*)

Resource Lands

Identify any of the following resource lands located within 300 feet of the project limits or those that will be otherwise impacted by the project.

- a) Identify whether any agricultural land is present. If “yes”, is the resource considered to be prime and unique farmland? Farmlands that are defined as “prime”, “unique” or of state or local significance are protected by federal and state legislation.

Prime farmland is defined as land that has the best combination of physical and chemical characteristics for producing food, feed, fiber, forage, oilseed, and other agricultural crops with minimum inputs of fuel, fertilizer, pesticides and labor, and without intolerable soil erosion. Prime farmland includes land that possesses the above characteristics and may include land currently used as cropland, pastureland, rangeland, or forestland. It does not include land already in or committed to urban development or water storage.

Unique farmland is defined as land other than prime farmland that is used for production of specific high-value food and fiber crops. It has the special combination of soil quality, location, growing season, and moisture supply to economically produce sustained high quality or high yields of specific crops when treated and managed according to acceptable farming methods. Example of such crops include lentils, nuts, annual cropped white wheat, cranberries, fruits, and vegetables.

If the project will result in the conversion of prime or unique farmland, the project must be evaluated to determine if it fits under one of the following exemptions:

- Construction within existing rights of way purchased before August 6, 1984.
- All resurfacing and normal road repairs.
- Rights of way taken from existing residents and/or businesses.
- Borrow areas and disposal sites not arranged for under the direction of WSDOT.
- Land committed to water storage.

If the project will result in the conversion of prime or unique farmland and is not exempt, the Local Agency must complete Parts I and III of Form AD 1006 and submit a copy of for review to the Natural Resources Conservation Service (NRCS) Office. (*Additional information on Farmlands considerations can be found in Section 454 of the EPM.*) A copy of Form AD 1006 is enclosed below:

ftp://npssftp.ftw.nrcs.usda.gov/ftp/forms_r2/AD/AD1006.pdf

And a list of the NRCS Offices is available via the following link:

http://oip.usda.gov/scripts/ndisapi.dll/oip_agency/index?state=wa&agency=nrcs

Attach a copy of the NRCS approved Form AD 1006, if applicable.

- b) Identify any forest/timber lands present within the project area and impacts.
- c) Identify any mineral deposits present within the project area and impacts.

Rivers, Streams (Continuous, Intermittent), or Tidal Waters

- a) Identify all waterbodies within 300 feet of the project limits or any waterbodies that will otherwise be impacted by the project. If waterbodies are present, identify the Fisheries WA Stream Number, if available, and if the waterbody is on Ecology's 303(d) Report. If the waterbody is on Ecology's 303(d) Report, include the reasons for listing and date of report. The enclosed link provides Ecology's 303(d) List of Impaired and Threatened Waterbodies:

<http://www.ecy.wa.gov/programs/wq/303d/index.html>

If a river is present within the project area, determine and note whether the river has been designated as a federal Wild and Scenic River or as part of Washington's Scenic River System. Federal and state legislation protects the wild and scenic values of certain rivers. Transportation projects that may adversely affect a wild and scenic river are encouraged to coordinate early with local, state, and/or federal agencies responsible for a designated wild and scenic river.

Although no specific permits are required for impacting a wild and scenic river, attach documentation that will illustrate the coordination that occurred with responsible officials to identify and study impacts, identify possible mitigation, and select an alternative.

Federally designated Wild and Scenic Rivers within the state of Washington are:

- Skagit River and all tributaries upstream of the pipeline crossing at Sedro Wooley
- Klickitat River from Wheeler Creek to the confluence with the Columbia River
- White Salmon River from the confluence of Gilmer Creek (near the town of BZ Corner) to the confluence with Buck Creek

Federally designated Study Rivers within the state of Washington are: (Study Rivers are areas being studied to determine if they qualify for designation.)

- Klickitat River upstream of the confluence of the Little Klickitat River to the Yakima Indian Reservation boundary
- White Salmon River upstream of the confluence with Gilmer Creek

Responsible agencies are:

- State Parks and Recreation Commission – manage all state scenic rivers. Local agencies also administer State Scenic Rivers through their Shoreline Management Plans.
- National Park Service, Recreation Programs – manage all rivers on the Nationwide Rivers Inventory.
- Mt. Baker-Snoqualmie National Forest, Mt. Baker Ranger District office – manages the Skagit Wild and Scenic River.
- Columbia River Gorge Commission – manages the Klickitat and White Salmon Wild and Scenic Rivers.

Additional information on wild and scenic rivers within the state of Washington can be found at the following link:

<http://www.nps.gov/rivers/wildriverslist.html#w>

Section 453 in the EPM provides additional information on designated rivers within the state of Washington and guidance on ensuring appropriate consideration of impacts to wild and scenic rivers.

- b) Identify any stream crossing structures by type.

Tribal Lands

Identify any Tribal lands located within the project area or that will otherwise be impacted by the project. The enclosed link provides a map identifying the location of federally recognized Tribal land within the state of Washington:

<http://www.goia.wa.gov/directory/pdf/TRIBAL%20LOCATIONS.pdf>

If Tribal lands are present or will be otherwise be impacted by the project, describe the coordination efforts that have occurred with the Tribe(s).

Visual Quality

Identify whether the project will impact roadside classification or visual aspects. If “yes”, identify the impacts and their level of significance.

Water Quality/Stormwater

Respond to the questions listed and include as description on the proposed water quality/quantity treatment for new and any existing impervious surface in the space provided.

Ensure project is in adherence to local requirements; state Dept. of Ecology requirements; and adheres to the requirements of the Federal Endangered Species Act. Compliance with one agency doesn’t necessarily guarantee adherence to another agency’s requirements (e.g., DOE’s manual provides opportunities for treatment exemptions that ESA does not recognize).

Previous Environmental Commitments

Identify whether any previous environmental commitments have been made within the project area. If “yes”, describe the commitments, whether they were the result of a permit, identify the agency issuing the permit, date issued, and how the commitments will be met, within the space provided.

Long Term Maintenance Commitments

Identify whether any long-term maintenance commitments are necessary for the project. If “yes”, describe the commitments and how they will be met, within the space provided.

Environmental Justice

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (2/11/94), requires all federal agencies, to the extent allowed by law, to administer and implement its programs, policies and activities

that affect human health or the environment so as to identify and avoid “disproportionately high and adverse” effects on minority and low-income populations.

The Executive Order is available online at:

<http://www.fhwa.dot.gov/environment/ejustice/facts/index.htm#legislation>

Projects must be evaluated for disproportionate impacts to minority and low-income populations. If the potential for impacts to minority and low-income populations is present, attach documentation that will illustrate the impacts were identified and evaluated to determine if they are disproportionate; coordination that occurred; the opportunities provided for community input; and mitigation measures.

Complete text from Example ECS:

Ten out of the seventy businesses and/or residences that this project will require strip takes of right of way from, are minority and/or low income. However, the number is not disproportionate in comparison to the overall number of residences and/or businesses that will require strip takes of right of way and equal impacts will occur to businesses and residences on both sides of the roadway.

The city conducted a public hearing/open house on November 13, 2003 to discuss the project; seek input and provide information. Announcements of the opportunities occurred in both English and non-English publications and translators were present at all public hearings and open houses.

Attached is a summary of the public hearing/open house comments; participants; and advertisements of the meeting.

Part 5 Biological Assessment and EFH Evaluations

Section 7 of the Endangered Species Act requires each federal agency to ensure its actions to authorize, permit or fund a project do not jeopardize the continued existence of any threatened or endangered species. This section of the Act requires agencies to evaluate the potential impacts their project may have on listed and proposed species, make an effect determination and consult with the National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service (USFWS), as appropriate.

Answer all questions within the Part 5 checklist. Use the space provided to further explain/justify any “yes” noted on the checklist. If the number of “yes” responses are too numerous or cannot be explained easily, then a separate biological assessment must be prepared. This does not mean that a NE determination is not the appropriate conclusion; just that it cannot be justified within the checklist.

Check the appropriate ESA effect determination. If a NLTAA or LTAA determination is checked, WSDOT Local Programs will include the date of concurrence or issuance of BO, as appropriate.

Under the Fishery Conservation and Management Act of 1976 (Magnuson-Stevens Act), NMFS was given legislative authority to regulate the fisheries of the United States. In 1996, this Act was amended to emphasize the sustainability of the nation's fisheries and create a new habitat conservation approach. This habitat is called Essential Fish Habitat (EFH).

Federal agencies must consult with NMFS on all activities or proposed activities, authorized, funded, or undertaken by the agency that may adversely affect EFH. Additional information on EFH can be found at NMFS homepage:

<http://www.nmfs.noaa.gov/>

Check the appropriate effect determination for Essential Fish Habitat considerations. If an adverse affect determination is made, provide the date of concurrence from NMFS and identify any conservation measures provided by NMFS.

If the Part 5 checklist is not used as the BA documentation, attach copies of the BA and EFH analysis; all correspondence with the NMFS and USFWS; WSDOT Local Programs will attach copies of concurrence letters and BOs, as appropriate.

Part 6 FHWA Comments

Leave this section blank. FHWA will use this section to provide any comments or notes regarding the NEPA approval.